

APPEAL NO. 171133
FILED JULY 11, 2017

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A contested case hearing (CCH) was held on April 5, 2017, in (city), Texas, with (hearing officer) presiding as hearing officer. The hearing officer resolved the disputed issues by deciding that: (1) the compensable injury of (date of injury), does not extend to left median neuropathy, left ulnar neuropathy, left wrist contusion, left degenerative thumb joint, and left acquired claw hand; (2) the appellant (claimant) reached maximum medical improvement (MMI) on April 23, 2015; (3) the claimant's impairment rating (IR) is two percent; and (4) the claimant did not have disability beginning on April 24, 2015, and continuing through the CCH. The claimant appealed, disputing the extent of injury, MMI, IR, and disability determinations. The claimant contends that the evidence establishes that the disputed conditions are part of the compensable injury and that he is not yet at MMI. The respondent (carrier) responded, urging affirmance of the disputed determinations.

DECISION

Affirmed in part and reversed and rendered in part.

The parties stipulated, in part, that on (date of injury), the claimant sustained a compensable injury and that the carrier has accepted as compensable a left hand contusion. The claimant testified that he was working when an extension ladder struck his left hand.

EXTENT OF INJURY

The hearing officer found that the claimant's left median neuropathy, left ulnar neuropathy, left wrist contusion, left degenerative thumb joint, left acquired claw hand, and left scapholunate bones were not caused, enhanced, accelerated, or worsened by the compensable injury. That finding is supported by sufficient evidence. That portion of the hearing officer's determination that the compensable injury of (date of injury), does not extend to left median neuropathy, left ulnar neuropathy, left wrist contusion, left degenerative thumb joint, and left acquired claw hand is supported by sufficient evidence and is affirmed.

Left scapholunate bones was a condition included in the extent-of-injury issue in dispute before the hearing officer. Although the hearing officer made a finding of fact concerning the left scapholunate bones, the hearing officer failed to make a conclusion of law or a decision on the extent-of-injury condition of left scapholunate bones. Accordingly, we reverse the hearing officer's extent-of-injury determination as being

incomplete. Because the hearing officer's finding of fact that the left scapholunate bones were not caused, enhanced, accelerated, or worsened by the compensable injury is supported by sufficient evidence, we render a new decision that the compensable injury of (date of injury), does not extend to left scapholunate bones.

MMI/IR

The hearing officer's determination that the claimant reached MMI on April 23, 2015, is supported by sufficient evidence and is affirmed.

The hearing officer's determination that the claimant's IR is two percent is supported by sufficient evidence and is affirmed.

DISABILITY

The hearing officer's determination that the claimant did not have disability beginning on April 24, 2015, and continuing through the CCH is supported by sufficient evidence and is affirmed.

SUMMARY

We affirm that portion of the hearing officer's determination that the compensable injury of (date of injury), does not extend to left median neuropathy, left ulnar neuropathy, left wrist contusion, left degenerative thumb joint, and left acquired claw hand.

We affirm the hearing officer's determination that the claimant reached MMI on April 23, 2015.

We affirm the hearing officer's determination that the claimant's IR is two percent.

We affirm the hearing officer's determination that the claimant did not have disability beginning on April 24, 2015, and continuing through the CCH.

We reverse the hearing officer's extent-of-injury determination as being incomplete, and render a new decision that the compensable injury of (date of injury), does not extend to left scapholunate bones.

The true corporate name of the insurance carrier is **TEXAS MUTUAL INSURANCE COMPANY** and the name and address of its registered agent for service of process is

**RICHARD J. GERGASKO, PRESIDENT
6210 HIGHWAY 290 EAST
AUSTIN, TEXAS 78723.**

Margaret L. Turner
Appeals Judge

CONCUR:

K. Eugene Kraft
Appeals Judge

Carisa Space-Beam
Appeals Judge